

Mark R. Thierman, CBN 72913 NBN 8285

THIERMAN LAW FIRM

7287 Lakeside Drive

Reno NV 89511

Tel: (775) 284-1500

Fax: (775) 703-5027

Email: laborlawyer@pacbell.net

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

SCOTT WOOD, CHARLES W. JUDSON,
WILLIAM BATES, SYBILLE GROTE,
MARTIN REEVES, ERNEST STEWART,
STEVE FORSYTHE, ROBERT BADILLA,
BRIAN THOMPSON, KARVIN TILANDER,
CHARLES ("CHUCK") JENNINGS,
LORENZO RAMIEREZ and MINDY
GABRIEL on behalf of themselves and all
others similarly situated,

Plaintiff,

vs.

GRANITE CONSTRUCTION COMPANY
and FEDERAL INSURANCE COMPANY

Defendants

Case No.: S-03-2592 DFL PAN

**[PROPOSED] ORDER APPOINTING
CLASS COUNSEL**

SCOTT WOOD, CHARLES W. JUDSON,
WILLIAM BATES, SYBILLE GROTE,
MARTIN REEVES, ERNEST STEWART,
STEVE FORSYTHE, ROBERT BADILLA,
BRIAN THOMPSON, KARVIN TILANDER
and CHUCK JENNINGS, on behalf of
themselves and all others similarly situated,

Plaintiff,

vs.

VALENTINE SURFACING, TRAVELERS
CASUALTY AND SURETY COMPANY OF
AMERICA and UNITED PACIFIC
INSURANCE COMPANY,

Defendants

Related Case No.: CIV S-03-02514 DFL PAN

1 The Motion of Scott Wood, et. al. for class certification came on regularly for hearing
2 before this Court before the Honorable David F. Levi, Presiding, and Mark R. Thierman
3 appeared as attorney for Plaintiff and Scott Osborne appeared as attorney for Defendants.

4 After full consideration of the evidence and on the separate statements of each party, and
5 the authorities submitted by counsel, as well as counsel's oral argument, the Court finds that
6 Mark R. Thierman is appointed to act as counsel for the class and makes the following findings:

7 Pursuant to the Federal Rules of Civil Procedure, Rule 23(g), Mark R. Thierman will be
8 able to fairly and adequately represent the interests of the class because Mark R. Thierman has
9 almost 30 years of experience in labor and employment law, including experience with class
10 action lawsuits, has sufficient knowledge of the applicable and law and the resources needed to
11 commit to representing the class.
12

13 IT IS SO ORDERED.

14 Dated this 2nd day of November, 2005

15 /s/ David F. Levi

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17 Honorable David F. Levi
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